

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 02 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 02 1998

The applicant United States of America, Bureau of Indian Affairs, hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 756, United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.

1. The source of water is Truckee and Carson Rivers
2. The amount of water to be changed 221.56 acre-feet (74.10 acres @ 2.99 acre-feet per acre)
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
4. The water heretofore permitted for As decreed.
5. The water is to be diverted at the following point Lahontan Dam, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T19N, R26E, M.D.B.&M.
6. The existing permitted point of diversion is located within No change.
7. Proposed place of use All lands within the boundary of Fallon Indian Reservation, as described in Exhibit A and the supporting map attached hereto (Sheet 2 of 2).
8. Existing place of use 38.70 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 35.40 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T19N, R30E, M.D.B.&M.
9. Use will be from As decreed
10. Use was permitted from As decreed
11. Description of proposed works No new diversion or storage works on the Truckee River and the Carson River will be constructed.
12. Estimated cost of works N/A
13. Estimated time required to construct works N/A
14. Estimated time required to complete the application of water to beneficial use 10 years
15. Remarks: Applicant expressly reserves the right to transfer in a later proceeding: 1) 0.51 acre-feet for each of the 74.10 acres from which the 2.99 acre-feet per acre are to be transferred by this application,

and 2) 3.5 acre-feet for the 5.90 water-righted acres remaining at the existence place of use.

By s/Richard P. Grimes

Richard P. Grimes, Realty Specialist
U.S. Fish and Wildlife Service
For: U.S. Bureau of Indian Affairs
P.O. Box 1236
Fallon, NV 89407-1236

Compared my/cms hf/cmf

Protested 6/5/98 by; Churchill County; Pro. overruled 10-18-00 See Ruling 4979

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (B).

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 221.56 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

October 20, 2005

Proof of the application of water to beneficial use shall be filed on or before:

November 20, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th of, October A.D. 2000

Hugh Ricci, P.E.
State Engineer

Completion of work filed N/A

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT A

PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is the Fallon Indian Reservation, consisting of all lands within:

Township 19 North, Range 30 East, Mount Diablo Meridian

Sections 3, 4, 8, 9, 10, 15, 16, 17, 20, 21 and 22; all
Section 2; the Northwest quarter (NW $\frac{1}{4}$)
Section 11; the Northwest quarter (NW $\frac{1}{4}$)
Section 23; the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

Township 20 North, Range 30 East, Mount Diablo Meridian

Section 33; the South half (S $\frac{1}{2}$)
Section 34; the South half (S $\frac{1}{2}$)
Section 35; the Southwest quarter (SW $\frac{1}{4}$) and the West half of the
Southeast quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$)

as shown on the supporting map labeled Sheet 2 of 2.

STATE ENGINEERS OFFICE

58113-2 JUN 57

NOTED

